S.B. CR.MISC.BAIL APPL.NO.7006/2007.

Kumar singh Vs. State

Date of order : 1/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Anil Jain for the petitioner.
Shri Harshvardhan Nandvana PP for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioner has argued that though when the FIR was registered on the basis of the complaint lodged by the father-in-law of the prosecutrix earlier, the police submitted final report. Subsequently, cognizance was taken against him on the second complaint which was filed by the prosecutrix herself according to which the principal accused are Mukesh and Ram Singh who took the prosecutrix to the place of accused Roop Singh, Kunwar Sain and Chob Singh for sale but when the deal failed, they brought her back to Village Athperia. Except the present one, no other previous criminal case has ever been registered against the petitioner. Petitioner having been arrested on 8/8/2007, is in jail since then. Trial of the case will take a long time and further detention of the petitioner is no longer required for any other purposes.

Learned Public Prosecutor has opposed the bail application and argued that in view of nature of allegations against the petitioner, he is not entitled to enlarged on bail during trial.

Without expressing any opinion on the merits of the case but taking into consideration the aforesaid arguments, I deem it appropriate to enlarge the petitioner on bail during trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Kumar Singh S/o Dharma shall be released on bail in F.I.R. No.191/2005 P.S. Sadar Dholpur for offences under Sections 346, 372, 347 and 376 IPC subject to his furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

anil/-